

J3







**BOX: MISSING PARTS** 

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):

Karsten Laubner et al.

**DOCKET NO: P00,1942** 

**SERIAL NO:** 

09/737,262

**GROUP NO:** 

Unknown

(Reg. No. 45,877)

DATE FILED:

December 13, 2000

**EXAMINER:** Unknown

INVENTION:

TSSI MONITORING DEVICE AS WELL AS APPERTAINING METHOD

Assistant Commissioner for Patents,

Washington, D.C. 20231

## **SUBMITTAL OF DECLARATION**

Sir:

Applicant herewith submits an executed Declaration in response to the Notice to File Missing Parts dated February 27, 2001. A check for the statutory fee in the amount of \$130.00 and a copy of the Notice to File Missing Parts is submitted herewith. Any deficiency or overpayment should be charged or credited to deposit account No. 50-1519. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Mark Bergner

**SCHIFF HARDIN & WAITE** 

**Patent Department** 6600 Sears Tower 233 South Wacker Drive Chicago, Illinois 60606-6473

(312) 258-5779

Attorneys for Applicant

**CUSTOMER NUMBER 26574** 

#### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope address to: Assistant Commissioner of Patents and Trademarks, Washington, D C 20231 on April 11, 2001.

#### **DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

#### TSSI MONITORING DEVICE AS WELL AS APPERTAINING METHOD

Case No. <u><b>P00,1942</b></u> , the sp	ecification of which	
(check X one)	is attached hereto. was filed on <u>December 13</u> Application Serial No. <u>09</u> and was amended on (if applicable)	9/737,262
	ave reviewed and understand the led by any amendment referred	e contents of the above identified specification, to above.
		s Patent Office all information which is known coordance with Title 37, Code of Federal
America before my or our invention the before my or our invention the public use or on sale in the Ur believe that the invention has before the date of this applicatiled by me or my legal repressing application for patent or invention before the date.	ention thereof, or patented or descreof or more than one year prior lited States of America more that not been patented or made the station in any country foreign to the lentatives or assigns more than the rentor's certificate on this invention.	ver known or used in the United States of scribed in any printed publication in any country to this application, that the same was not in an one year prior to this application, and I subject of an inventor's certificate issued United States of America on an application welve months prior to this application, and that on has been filed in any country foreign to the legal representatives or assigns, except as
I hereby claim foreign application(s) for patent or inv Prior Foreign Applicat	entor's certificate listed below	United States Code, 119 of any foreign
Number	Country	Date
19961139.4	Germany	<b>December 17, 1999</b>
	application on which priority is o	nt or inventor's certificate having a filing date claimed:
Number	Country	Date
made of record in the application, and		t cumulative to information already of record or being

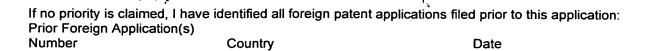
<sup>(1)</sup> It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

<sup>(2)</sup> It refutes, or is inconsistent with, a position the applicant takes in:

<sup>(</sup>I) Opposing an argument of unpatentability relied on by the Office, or

<sup>(</sup>ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.



And I hereby appoint all Attorneys identified by United States Patent & Trademark Office Customer Number 26574, who are all members of the firm of Schiff Hardin and Waite,

Telephone: 312/258-5779

my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and direct that all correspondence be forwarded to:

# SCHIFF HARDIN & WAITE Patent Department 6600 Sears Tower, Chicago, Illinois 60606-6473 CUSTOMER NUMBER 26574

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or firs	inventor KARSTEN LAUBNER			
Inventor's signature	. Karter Janoses	_Date	28. 03. 2007	
Residence	Muenchen, Germany			
Citizenship	Germany		·	
Post Office Address				
<del></del>	81377 Muenchen, Germany			
Full name of second joint inventor, (if any) MARCEL-ABRAHAM TROOST				
Inventor's signature			28.03.2001	
Residence	Muenchen, Germany			
Citizenship	Germany			
Post Office Address	Gabriele Muenter Str. 25		·	
	81477 Muenchen, Germany			
Full name of third joint inventor, (if any)				
Danidanaa		_Date		
			_	